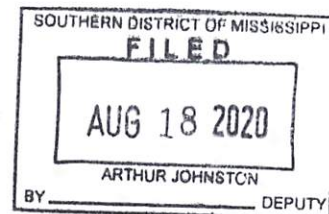


IN the UNITED STATES Federal Southern District
Court of MISSISSIPPI.

Kelly Mann

VS.

The Legislative,
Executive, And Judicial
Branch of Government.
Former Governor PHIL BRYANT,
Present Governor TATE REEVES,
Former ATTLY. GENERAL JIM HOOD
Former Commissioner DELICIA HALL,
Present Commissioner TINDAL,
Management Training Corps (MTC)
and Mississippi Parole Board
Jewerski Mallett and Betty Johnson
of (MDOC) Records Department



1:20cv267 LG-RPM

Lawsuit Regarding Conditions of Confinement and
Crimes Committed Against me an Incarcerated TAX
paying Prisoner in the Custody of Miss. Dept.
of Corrections.

Comes now, Kelly Mann, pro-se, pursuant to
the Commander and Chief Executive Order Directing
(DOJ) TO Investigate the Corruption in Mississippi
Prisons Issued By President Trump in March 2020,
the Civil Rights of Institutionalized Persons Act, 42
USC (1997), (Cripa) and the Violent Crime Control
and Law Enforcement Act of 1994, 42 USC (1994)
(Sec. 14141), Both (Cripa) and Sec. 14141, Gives DOJ,
Authority to seek A Remedy for a pattern or practices
of conduct that violates the Constitutional Rights of
prisoners, pursuant to (MCA) 47-5-807 and Jones
VS. Bock 127 S.Ct. 910 (2007) The Supreme Court
in Jones, which expressly held Failure to plead
Exhaustion Below wasnt Grounds for Dismissal,
compare: DIORIO VS. HENNINGWAY 481 F.3d 873 (6th Cir. 2007)

(1)

The Courts Failure to Hear (Manns) will constitute a continuous conspiracy and A manifest of injustice.

Statement of claim:

The STATE of MISSISSIPPI has shown Deliberately indifference To the Rights of (Mann). By the specific acts of, Concealing material Exculpatory Evidence, By turning A Blind Eye on Crimes Committed against (Mann) while in Their Care, see: Farmer VS. BRENNAN 511 U.S. 825-832, (1984),

ALL prisoners in mississippi state prisons are protected By the 8th. Amendment prohibition AGAINST CRUEL AND UNUSUAL punishment, see: Estelle VS. GAMBLE 429 U.S. 97 (1976),

The Constitution imposes upon Jurisdiction A Duty to ASSUME Responsibility for A prisoners safety and General well-Being see: County of SACRAMENTO VS. LEWIS 523 U.S. 833-851, (1998),

Generally, STATE and Local Government must provide confined persons with Reasonably Safe conditions of confinement, see: Bell VS. WOLFISH 441 U.S. 520 (1979),

The 8th. Amendment, As Applied to States through the Due process Clause of the 14th. Amendment, ALSO Requires that Prisoners "Receive ADEQUATE Food, Clothing, Shelter and medical Care," Farmer 511 U.S. AT 832.

AS A prisoner Here AT (MDOC), (SMCI) I Have a Constitutional Right To Be protected FROM HARM see (SOP, 20.05) Entitled protection FROM HARM), 10 AT 832.

It is unconstitutional to incarcerate an Inmate under conditions posing a Substantial Risk of serious Harm or when prison officials are Deliberately indifferent To the inmates safety, see: Longoria VS. Texas 473 F. 3rd, 586-592 (5th Cir. 2006),

Prison officials Have A Constitutional Duty to protect inmates From Crimes Committed against them By prison officials collagues. The state of mississippi, (MDOC), (ACA), State Board of Health, and All defendants named above, in their own official capacity, In there actions shows Deliberate indifference and Has Failed to protect (Mann) I N 02) Major Areas:

CLAIM (I).

(Court 19, Have Placed (Mann) who is A prisoner Here At (SMCI), in "Grave Danger", Where I Am being denied The Right To "Social Distancing", Due To over Crowded Zones.

(A) Racks/ Bunks are too Close Together, (B) The Ventilating systems doesn't work (C) The seats on zones can only Accommodate (25) prisoners at a time, There are constant arguments About Toilets where there are only (5) Toilets To Accommodate (100) offenders, The Buildings Here at (SMCI) are Designed To only House (120), prisoners (40) per zone; To House (100) offenders on Each zone is in violation of (SOP. 44.01, Building Codes, Building Safety and environmental codes, see: Lines 142-146, Lines 229-231 (BOCA), Basic Bldg. Code 1975 S. 201.3 (ACA) Manual of Corr. Standards 49, Corr. Standards 11. AT page 353.

"I have Literally Seen offenders defecate on themselves waiting waiting for a toilet To come open for use. This is inhumane and and (SMCI) must be held Liable."

In adopting the (APHA Environmental Standards) Courts have pointed out That A prison Facility is A (closed Ecosystem) persons are sent to prison as punishment, not for punishment minimum. space To call ones own is a primary psychological necessity and also a violation of our 8th Amendment Right, (SMCI) Hereby is Liable for post traumatic stress and The Above violations in the Amount of (5.6 million).

CLAIM (II).

I was (Extorted) By Keeffe Commissary and Christopher Epps from 2007 - 2015. See: Masterfile Commissary purchase sheets see Also: Jim Hood v.s. Chris Epps Decided Jan. 2019 for Reference (U.S.S. D.C.) of Mississippi. Epps and Keeffe Commissary must be held Liable in the amount of (3.4. Million) for Extortion.

CLAIM (3).

Sam Waggenor / Global Tel-Link phone Contractor for (MDC) over charged me and my friends and family for phone services see: Hood v. Epps, for references Global Tel-link must be held liable for (2.5 million) in damages.

CLAIM IV

(MDC) and Brennan Pharmaceuticals of Houston Texas used tainted urine cup to create an inmate slave workforce to gather Agriculture products prisoners was placed in a sham work program called (BMD) and was worked at a profit, But never received any pay check or incentives. This violates the 13th Amendment to the Mississippi Constitution, even after courts ruling in Jan. 2019 all of the Above defendants fail to disclose compelling Exculpatory Evidence to The prosecutor of the 1st. Judicial District of Hinds County for consideration of Bringing Charges against those liable for committing crimes against me, this is clearly a violation of the (RICO Act), the Conspiracy Statute 97-1-1, The Above defendants also obstructed Justice. By Acting as a Band Aid for all Defendants and Cooperations named in lawsuit. (MDC) and Brennan Pharmaceuticals must be held liable in the amount of (6.9 million in damages.) For the Post Traumatic Stress that Complainant has endured for 26 1/2 years while under the care of (MDC), (MTC), (SWCI), and (MSP) Complainant request for the amount of \$2 million. The acts set out Above show's this is clearly in violation of of the (RICO Act), the Conspiracy Statute § 97-1-1 (MCA) IN the midst of the Conspiracy Everybody Acting as a Band-AID for one - Another, Did obstruct Justice, and falsely swear, see (MCA) 97-11-37, compare (MCA) § 97-7-10, And Title 18 USCA sec. § 1001, Federal Statute.

(MDOC), (ACA), and The State Health Department submitted False Claims, covering up the true conditions of confinement, where: (A) Black mold, (B) outdated Lighting system, (C) microwave ovens, (D) Flat screen TVs, (E) Cleaning Chemicals (Pur-Pak), and (F) Lead paint. With the outdated sprinkling system with mercury leaks has created AN Electro MAGNETIC RADIATION that will Across Time causes VITAGD, Liver Disease, AND Respiratory Illness as well as STOMACH Cancer. AT Trial Complainant will call witnesses that HAVE been treated for stomach cancer Because of the consumption of this contaminated water here at (SMCI). This is "Cruel And Unusual Punishment" and is in violation of SOP. (20.05.), Entitled protection From Harm And (MCA) § 97-11-37. Failing neglecting to perform Duties, Former Commissioner Pelicia Hall fail TO promulgate A policy that would protect ME from Harm. Compare: (MCA) § 97-7-10 Entitled making False Representations TO Defraud Government see Also Title 2 18 USCA Sec. 1001, Federal Statute.

Ever since the American Correctional Association (ACA) came in Around 1999, And their policies begin to run in unison with (MDOC) SOP's the Conspiracy started then former Commissioner Epps Across Time worked his way up the Ladder, He became The Commissioner of (ACA), All three Branches of Government turned a Blind Eye on these Crimes Also, It's against the Law to hold too offices At one time see: (MCA) for references; Creating A Direct Conflict of Interest, for years Mississippi Government Allowed Epps to create an Communist Rule Setting IN The prisons Here IN Mississippi. This illegal Legal Standard used By Epps, Hall, former Commissioners constitutes organized Crime, (MDOC), (ACA), The State Board of Health (Miss) and All three Branches of Government should be Held Liable for the Amount of \$1,000,000 Each IN their own official complicity, for the post Traumatic Stress disorder Complainant Requests the Amount of \$141,000,000 million dollars.

CLAIM (6)

(MDOC) Classification Department is still using AN illegal STANDARD TO CLASSIFY (complainant), where (DOJ) Took Federal funding OUT of (Miss prisons) Almost 3 years Ago, this move by (DOJ) caused the federal point system to become nullified and VOID. When this funding was taken, (MDOC) and their Case Managers Here AT (SMCI) continues to use federal point system to classify offenders IN violation of SOP 20.05, as well as their oath of office where All of the Above Defendants pledged to never Ill-Treat an offender In their care... And To uphold the Miss. Constitution. See: Also (MCA) § 97-7-35 Entitled Sworn false statements, (Compare: MCA) § 97-11-1, Entitled; making False Entries in or altering Records. This illegal practice has Reached the Magnitude of Death, where they were classified illegally and placed in wrong Environment that contributed to their deaths, I myself have been injured by the federal point system, I have (i) point and have been classified "A" (custody) but have never been upgraded, this is very stressful and its cruel and unusual punishment in violation of the 8th Amend. of the U.S. Constitution. (MDOC) Classification Department, Case managers, and offender service officials must be held Liable for there acts in the Amount of \$17 Million dollars, for the post Traumatic stress (complainant) Requests \$51 Million dollars.

CLAIM (7)

SMCI ILAP Department has denied me access to cases needed for me to Get Access to Court, By the Specific Act of Denying me access to the Sim Hood vs. Epps Case Decided January 2019, IN the federal Southern district Court of Miss. See: (SOP. 20.01.01.) Entitled access to Court and Legal Counsel see: Also Exhibit " ", Attached Hereto, (Compare: MCA) § 97-11-37, Failing neglecting to perform Duties, these above Acts constitute Ill-Treatment in Direct violation of Miss. Gov. officials oath of office as well as Due process Law, where ILAP Department cause (complainant) unnecessary delay with Reckless disregards of (complainant's) Right to be heard in violation of the 1st Amend. of the U.S. Constitution.

(6)

(MDOC) SMCI Department is being held liable for the Aforementioned Acts in the Amount of 4.3 million dollars for the post traumatic stress of Complainant The Department/Agency is being held liable in the Amount of 17 million dollars.

CLAIM (8)

(MDOC) SMCI, Has fail to provide offenders with Bottled Water Even after Knowing that water Here AT SMCI is Contaminated and unsafe to drink. As Evidenced by world news, utube and several other news stations from Around the Country. The failure of Courts to hear this claim, it would be Aiding in Committing Genocide The state Board of Health and The Environmental protection Agency as well as the American Correctional Association. By the issuing of falsified Reports, and Audits concealed Evidence That's Hazardous to my Health, and is in violation of 50p. 20.05, Entitled protection from, Harm. It is Also Evident that the above defendants also committed fraud, By the specific Act of making false Entries in or altering Records in violation of (MCA) § 97-11-1. (MDOC) as a Collective whole fail to promulgate a policy that would ensure that offenders had safe drinking water, former, Commissioner Pelicia Hall failed and neglected to perform her Duties in violation of (MCA) § 97-11-37. In support of Complainants Claim he relies The Case Jim Hard vs. Epps. Decided Jan 2019, USFSDC of miss. At trial their will be testimony of former offender who contracted stomach cancer from the consumption of the Drinking water Here AT SMCI. for the Above violation (MDOC) SMCI is being held liable for the Amount of \$9 million dollars, for the post-traumatic stress (MDOC) SMCI is being held liable in the Amount of \$23 million dollars.

Claim (9)

Jeworski MALLETT and Betty Johnson of (MDOC) Records department and private prison (MTC) management training Corps on January 6, 2015, conspired one with another to re-sentence Complainant without the Authority to do so. Complainant's former Case Manager Mrs. Miller of MTC Walnut Grove prison, did inform Investigator Sistrunk of (MTC) that Complainant's sentence had been changed. Complainant requested to see (ID), Investigator Sistrunk denied his request. The re-sentencing documents was sent to Mrs. Williams the ARP Clerk of (MTC). By Jeworski Mallett, this is clear Fraud, Obstruction of Justice, Deliberate In Difference, Conspiracy where (MDOC) records Department and (MTC) submitted a false claim in the form of a Time Sheet in violation of (MCA) § 97-11-1, Entitled making false Entries, as well as Federal Statute Title § 18 USC, Sec. 1001, which makes it a crime to submit a false claim to Any department or Agency. (MDOC) is a Department.

(MDOC) Records Department took (20) years Earned Time from Complainant. That was given to Complainant under the 50% Law cutting Complainant's sentences in Half in 1993. Mrs. Christine Houston former Director of (MDOC) Records department, Applied LUCAS v. State (Miss 1993) which would make Complainant Eligible for parole in 10 years on Homicide Charge. In January 2003, Complainant was "cell paroled" to Robbery Charge Complainant started serving Robbery sentence on January 9, 2003, only 10 years of the Robbery sentence was mandatory, leaving Complainant with a (30) year sentence with parole on January 9, 2013. The (20) years earned time that was taken by (MDOC) Records Department and (MTC) By the use of fraud, should be tolled to the remaining (30) years with parole on the Charge of Robbery, which will eat ~~up~~ up the thirty years with parole, which would flatten Robbery sentence the word "consecutive" want allow the state to go back to Homicide Charge. See: § 47-7-3 parole statute (MCA) § 1992, which reflects that everyday you serve you get a day

Earned Time, when records department flipped Complainant's Charges, it subjected Complainant to a more severe sentence where Double Jeopardy Attached where Complainant is being forced to serve time twice on Homicide Charge. Blockburger vs. U.S. prohibits such action, see: Beckwith v. State (Miss. 1992), Compare Jones vs. Thomas U.S. . . . see: Exhibits " " " " " " , attached Hereto. Complainant hereby Request That (MDOC) Records Department and (MTC) management training corps. be Held Liable in the Amount of \$40 million Dollars for Cruel and unusual punishment and Deliberate indifference, in Violation of the 8th Amendment see: Farmer vs. Brennan 511 U.S. 825-832 (1984) Compare: Estelle vs. Gamble 429 U.S. 97 (1976). for the Post Traumatic Stress, Complainant Requests the Amount of \$11 million Dollars from (MDOC) records Department and (MTC). There's not a day that goes by that Complainant Doesn't Think About This Intermittent Treatment.

Claim (10).

Complainant Also Brings Lawsuit Against The Former prosecutor J. Kennedy Turner and former Assistant prosecutor Mark Duncan of The 8th Judicial Circuit of Leake County Mississippi, for Concealing Exculpatory material Evidence contained in former County Prosecutor's Vernon G. Hens Investigation file of The Leake County Police Department, where Turner and Duncan conspired one with the other to reach an unlawful end, Turner and Duncan knowing with total disregard to Mann's Rights did Commit Fraud upon Mann, by the specific Act of using a Fraudulent eyewitness in Adversely Affecting Evidence, Counsel for Complainant, at Aug 9, 1993 Plea Hearing Did Agree to this Evidence as substantially the material facts of Case and would be Admitted into Evidence see: Plea Hearing Record At page 5: Prosecutor vouches for Credibility of A witness that has never testified before the Court, Prosecutor Also stated Roberts would Cooperate Truman Brantley Jr. Another witness that has never testified before A Court, this is Fraud, and prosecutorial misconduct, To this date the Court under the best Evidence Rule still haven't revealed who Complainant's

Accuser is, AT Trail on Lawsuit, (1) Mr. James Kinble, (2) Mr. Donnell Jones (3) Mr. Darrell Windham (4) Mrs. Shelia Weathers will be summoned to testify that Wilson Roberts was deceased in 1993. I hereby Request that both Turner and Duncan Be Held Liable in the amount of \$100 million dollars where Wilson Roberts was a Fraud" see: Wilson v. Johns - Marville Sales Corp 873 F.2d 869, 872 (5th Cir. 1989).

this is the most egregious misconduct it defiles the Court itself, where the elaborate story was created surrounding Wilson Roberts Eye witness account and Roberts being a Robbery Victims, Turner and Duncan the prosecution officers deliberately planned and carefully Executed a scheme of their own to improperly influence the Court in order to obtain unlawful convictions, see: Dow v. Virginia 729 F.3d 1041, 1050 (9th Cir. 2013), compare; U.S. v. Hands 184 F.3d 1322 1334 (11th Cir. 1999).

CLAIM (11)

the Mississippi parole Board have considered Complainant knowingly under fake pretense and fraud ever since January 6, 2015, the date that the (MDOC) records department re-sentenced Complainant. Complainant did inform the parole Board staff and Chairman of parole Board Mr. S. Pickett of the fraud committed by (MDOC) Records Department. the parole Board staff and parole board fail to consult the Court that Complainant was convicted in, to get true clarity of how Complainant's convictions were to stand, The parole Board for the last (5) hearings has forced Complainant to face false Evidence, that the prosecutor and MDOC records department created on their own. This has deprived Complainant of a fair fact finding process during the last (5) parole hearings, for this post traumatic stress Complainant request that the state of Mississippi be held Liable in the amount of \$51 million dollars and that all parole board members and parole board staff be removed from office for neglect and failure to perform duties in violation of (MCA) § 97-11-37, and conspiracy statute § 97-1-1. see Also MCA § 97-11-1 Entitled making false Entries in or altering records, compare; Wright and Miller Federal practice and procedure 247 253 Section 2870 (1973).

CLAIM (12)

Representative Kenneth Walker (D) Leake County, neglected to perform his duties in violation of (MCA) § 97-11-37, as well as his oath of office; by falsely swearing, and where he Pledged to uphold the Laws and Constitution of this state, by the specific Act of failing to Investigate a Criminal Act that was Reported to Him By My Father John Willie Mann and Friend Ruby E. Ruffin in 2018, when they Took Rep. Walker (D), Documentation from Complainant in regards of Crimes Committed Against Complainant by the 8th Judicial District Court of Leake County and (MDOC) records Department as well as the False pretense parole Board Hearings that has been conducted since Crimes of Fraud and making false entries to (MDOC) which is a department Done by Records Department on January 6, 2015, see: Complainant's Master file for references, Complaints presented to Rep. Walker involves Case Number #8367 of the 8th Judicial District of Leake County. My Father John Willie Mann Died in May 2019, still waiting on Rep. Walker to recognize him as a citizen of the state of Mississippi and Represent his best interest and his son's Liberty interest where we are both tax paying Citizens, see: (MCA) § 97-7-35; Title Sworn false statement, It is clear from Evidence Above that Rep. Walker did falsely Swear before the Legislative Branch of Government when taking his oath of office, by the specific act of pledging to uphold the Constitution of the State of Mississippi; further, when Rep. Walker fail to bring charges Against the 8th Judicial Court of Leake County for Fraud and obstruction of Justice, He furthered The Conspiracy by turning a blind eye to Crimes, in violation of MCA § 97-1-1 Conspiracy, for 26 years both the state and federal Judicial Branch of Government Have fail to correct Crimes under Rule 60(B)(6) which makes Complainant an Adverse party of fraud, to this Date the 8th Judicial Court of Leake County still Haven't let Complainant be know who his Accuser is under the Best Evidence Rule. Rep. Walker is being sued for the amount of \$93 million dollars, an for \$140 Million for Post-Traumatic stress.

STATE OF MISSISSIPPI
County OF Greene .

personally. Appeared before me, The undersigned authority in and for said Jurisdiction, the within named Complainant, who After first being by me duly Sworn, stated on oath that the statements set forth in the above and foregoing are true and correct as therein stated Kelley Mann #82723 is the Complainant in the Suit.

Sworn TO AND SUBSCRIBED Before Me, This the 12 day of August 2020.


NOTARY public



Kelley Mann
As pertaining to Lawsuit, Brought by Kelly Mann 82723

Certificate of Service

I, Kelly Mann, do hereby certify that I have this day and date through United States Mail, Postage Pre-Paid, mailed the original and True and Correct Copy of the foregoing Suit to the following At their usual Mailing Address:

U.S.D.C. Clerk
701 Main St. Room ⁴⁴200
Southern Dist. Court
Hattiesburg MS. 39401

Ms. Attorney General
P.O. Box 220
Jackson, MS. 39205.

on this the _____ day of August, 2020.

by Kelly Mann